

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

JOSEPH VU NGUYEN

DISTRICT COURT NUMBER

CR08-0246 CW

FILED
 APR 16 2008
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Bureau of Alcohol, Tobacco, Firearms, and Explosives

☒ person is awaiting trial in another Federal or State Court, give name of court

Alameda County Superior Court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

AUSA GARTH HIRE

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

Alameda County Superior Court

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☒ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

North County Jail

Has detainer been filed? ☐ Yes ☒ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

PENALTY SHEET ATTACHMENT

UNITED STATES v. JOSEPH VU NGUYEN AND DAVIS KIET DANG

COUNT ONE

**Felon in Possession of Firearm and Ammunition
(18 U.S.C. § 922(g)(1))**

Imprisonment: 10 Years Imprisonment
Fine: Maximum \$250,000
Supervised Release: Maximum 3-Year Term of Supervised Release
Special Assessment: \$100

COUNTS TWO AND THREE

**Possession of a Controlled Substance (Methamphetamine)
(21 U.S.C. § 844(a))**

If 21 U.S.C. § 851 Information alleging prior narcotics conviction NOT FILED:

Imprisonment: Maximum 1 Year Imprisonment
Fine: Maximum \$1,000
Supervised Release: Maximum 1-Year Term of Supervised Release
Special Assessment: \$25

If 21 U.S.C. § 851 Information alleging prior narcotics conviction FILED:

Imprisonment: Maximum 2 Years Imprisonment (one prior)
Mandatory Minimum 15 Days Imprisonment (one prior)

Maximum 3 Years Imprisonment (two priors)
Mandatory Minimum 90 Days Imprisonment (two priors)

Fine: Maximum \$2,500 (one prior)
Maximum \$5,000 (two priors)

Supervised Release: Maximum 1-Year Term of Supervised Release

Special Assessment: \$100

AO 257 (Rev. 6/78)

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 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
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- Misdemeanor
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- ☒
- Felony

PENALTY:

SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

APR 16 2008

DEFENDANT - U.S.

DAVIS KIET DANG

DISTRICT COURT NUMBER

CR08-0246

CW

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 CLERK U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND
DEFENDANT**IS NOT IN CUSTODY**

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 Has detainer ☐ Yes
 been filed? ☒ No

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 give date
 filed

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Month/Day/Year

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Month/Day/Year

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Alameda County Superior Court

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Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO

☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned)

AUSA GARTH HIRE

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- SUMMONS
- ☐
- NO PROCESS*
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- Initial Appearance

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Special Assessment: \$100

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: OAKLAND

UNITED STATES OF AMERICA,

v.

JOSEPH VU NGUYEN, and DAVIS KIET DANG, aka Kiet Dang, aka Kiet Davis
Anh Dang, aka Kiet Davisanh Dang,

CRO8-0246 CW

FILED
2008 APR 16 PM 4:33
RICHARD W. FLECKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT.

INDICTMENT

18 U.S.C. § 922(g)(1) - Felon in Possession of a
Firearm and Ammunition;
21 U.S.C. § 844(a) - Possession of Methamphetamine

A true bill.

Laurie K. [Signature] Deputy Foreman

Filed in open court this 16 day of April,
2008

Clerk

Bail, \$ Wayne Dr. Brazil No bail arrest warrant
for each
defendant.
4-16-08

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED

2008 APR 16 PM 4:33

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOSEPH VU NGUYEN, and
DAVIS KIET DANG,
aka Kiet Dang,
aka Kiet Davis Anh Dang,
aka Kiet Davisanh Dang,
Defendants.

No. **CR08-0246 CW**

VIOLATIONS: 18 U.S.C. § 922(g)(1) –
Felon in Possession of a Firearm and
Ammunition; 21 U.S.C. § 844(a) –
Possession of Methamphetamine

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm and
Ammunition)

On or about February 6, 2008, in the Northern District of California, defendant,
JOSEPH VU NGUYEN,
having previously been convicted of a felony crime punishable by a term of imprisonment
exceeding one year, did knowingly and intentionally possess, in and affecting interstate
commerce, a firearm, namely a KBI, Model PMK-380, .380 caliber, semi-automatic pistol, with
an obliterated serial number, and ammunition, namely eight rounds of Winchester .380 caliber

INDICTMENT

1 ammunition.

2
3 COUNT TWO: (21 U.S.C. § 844(a) – Possession of Methamphetamine)

4 On or about February 6, 2008, in the Northern District of California, defendant,
5 JOSEPH VU NGUYEN,
6 did knowingly and intentionally possess a Schedule II controlled substance, namely, a mixture
7 and substance containing a detectable amount of methamphetamine, that was not obtained
8 directly, or pursuant to a valid prescription and order, from a practitioner acting in the course of
9 his or her professional practice, in violation of Title 21, United States Code, Section 844(a).

10
11 COUNT THREE: (21 U.S.C. § 844(a) – Possession of Methamphetamine)

12 On or about February 6, 2008, in the Northern District of California, defendant,
13 DAVIS KIET DANG,
14 aka Kiet Dang,
15 aka Kiet Davis Anh Dang,
16 aka Kiet Davisanh Dang,
17 did knowingly and intentionally possess a Schedule II controlled substance, namely, a mixture
18 and substance containing a detectable amount of methamphetamine, that was not obtained

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INDICTMENT

1 directly, or pursuant to a valid prescription and order, from a practitioner acting in the course of
2 his or her professional practice, in violation of Title 21, United States Code, Section 844(a).

3 DATED: April 16, 2008

A TRUE BILL.

4
5 Deputy

Laurie K. J.
FOREPERSON

6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 W. Douglas Sprague
9 W. DOUGLAS SPRAGUE
10 Chief, Oakland Branch

11 (Approved as to form: [Signature])

AUSA GARTH HIRE

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INDICTMENT